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Serial No. 10/711,981

DEC 18 2006

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## IN THE UNITED STATES PATENT &amp; TRADEMARK OFFICE

In re Chen,	) Serial No. 10/711,981
Applicant,	) Docket No. RSW920040131US1
For: Algorithm for Minimizing Rebate Value Due to SLA Breach in a Utility Computing Environment	) Art Unit 2155
Filed: 10/18/2004	) Examiner Duong

## AMENDMENT AND REQUEST FOR CONTINUED EXAMINATION

December 18, 2006

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Certificate of Transmission
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office (Fax No. 571-273-8300) on <u>12/18/06</u> .
Typed or printed name of person signing this certificate: <u>PAT Milfeld</u>
Signature: <u>PAT Milfeld</u>

Responsive to the Notice of Panel Decision from Pre-Appeal Brief Review, for which an Appeal Brief is due December 25, 2006, please accept this Request for Continued Examination and amend the above-identified application as follows in lieu of proceeding with the appeal:

Amendments to the Claims are on page 2 of this paper

Remarks begin on page 4 of this paper

Page 1 of 7